JOHN F. McGRORY, JR, OSB #813115 johnmcgrory@dwt.com DEREK D. GREEN, OSB #042960 derekgreen@dwt.com SARAH M. VILLANUEVA, OSB #093412

sarahvillanueva@dwt.com

DAVIS WRIGHT TREMAINE LLP

1300 SW Fifth Avenue, Suite 2400 Portland, OR 97201

Tel: 503-241-2300 / Fax: 503-778-5299

Of Attorneys for Plaintiffs Canterbury Park Capital L.P. and Canterbury Park Capital (U.S.) L.P.

UNITED STATES DISTRICT COURT DISTRICT OF OREGON PORTLAND DIVISION

CANTERBURY PARK CAPITAL L.P., a Canadian limited partnership; and CANTERBURY PARK CAPITAL (U.S.) **L.P.**, a Canadian limited partnership,

Plaintiffs,

V.

JOSEPH V.R. MICALLEF, an individual; **RICO MICALLEF**, an individual; VINCENT A. MICALLEF, an individual, and **ALLEGRO CORPORATION**, an Oregon corporation,

Defendants.

Case No. 3:12-cv-01021-HZ

STIPULATION AND ORDER OF AWARD OF PLAINTIFFS' **ATTORNEYS' FEES**

On May 18, 2012, Canterbury Park L.P. and Canterbury Park Capital (U.S.) L.P. (collectively "plaintiffs") filed suit against Joseph V.R. Micallef, Rico Micallef, Vincent Micallef, and Allegro Corporation (collectively "defendants") in the Circuit Court of the State of Oregon for the County of Multnomah, Case No. 1205-06333. Defendants filed a Notice of

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Removal on June 7, 2012, pursuant to 28 U.S.C. §§ 1441 and 1446. Plaintiffs then filed a Motion to Remand on June 29, 2012 pursuant to 28 U.S.C. § 1447(c), arguing that removal was improper under 28 U.S.C. § 1441(b)(2) because defendants were citizens of the forum state. The Court granted plaintiffs' motion to remand in its Opinion and Order of October 25, 2012, and also held that plaintiffs were entitled to an award of attorneys' fees incurred in the preparation of its motion to remand. Plaintiffs submitted its Motion for Attorneys' Fees on November 8, 2012. After conferral, the parties now stipulate as to the award for attorneys' fees.

IT IS HEREBY STIPULATED AND AGREED by and among plaintiffs and defendants, that plaintiffs may be awarded attorneys' fees in the amount of \$12,000.

SO STIPULATED this 7th day of December, 2012.

/S/ DEREK D. GREEN

John F. McGrory, Jr., OSB #813115 johnmcgrory@dwt.com Derek D. Green, OSB #042960 derekgreen@dwt.com Sarah M. Villanueva, OSB #093412 sarahvillanueva@dwt.com DAVIS WRIGHT TREMAINE LLP 1300 SW Fifth Avenue, Suite 2400

Portland, OR 97201 Tel: 503-241-2300 Fax: 503-778-5299

Of Attorneys for Plaintiffs Canterbury Park Capital L.P., Canterbury Park Capital (U.S.) L.P.

/S/ Kathryn Salyer (via authorization)

Kathryn P. Salyer, OSB #883017 ksalyer@tsbnwlaw.com Tomasi Salyer Baroway 121 SW Morrison Street, Suite 450 Portland, OR 97204-3136

Tel: 503-894-9900 Fax: 971-544-7236

Of Attorneys for Defendants Joseph V.R. Micallef, Vincent A. Micallef and Rico Micallef

/S/ Kimberley McGair (via authorization)

Kimberley Hanks McGair, OSB #984205 kmcgair@fwwlaw.com Farleigh Wada Witt 121 SW Morrison Street, Suite 600 Portland, OR 97204-3136

Tel: 503-228-6044 Fax: 503-228-1741

Of Attorneys for Defendant Allegro Corporation

ORDER

Based upon Plaintiffs' Motion for Award of Attorneys' Fees, and the stipulation of the parties,

IT IS HEREBY ORDERED that plaintiffs are awarded against defendants, jointly and severally, \$12,000 in attorney fees.

DATED

, 2012.

MARCO A. HERNANDEZ

US DISTRICT COURT JUDGE

Presented by:

DAVIS WRIGHT TREMAINE LLP

By: S/ DEREK_D. GREEN

John F. McGrory, Jr., OSB #813115 johnmcgrory@dwt.com Derek D. Green, OSB #042960 derekgreen@dwt.com Sarah M. Villanueva, OSB #093412 sarahvillanueva@dwt.com Telephone: 503-241-2300

Facsimile: 503-778-5299 Of Attorneys for Plaintiffs